GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Sri GVR Sekhar, the then Record Assistant, Samalkot Municipality – Disciplinary Proceedings instituted under Rule-20 of A.P.C.S (CC&A) Rules, 1991 – Inquiry conducted – Penalty of stoppage of two (2) Annual Grade Increments with cumulative efect against him, besides recovery of loss of Rs.1,41,614/- imposed – Orders issued – O.A.No.10322 of 2011 filed by Sri GVR Sekhar, the then Record Assistant, Samalkot Municipality– Set aside the said punishment by the Hon'ble Tribunal with certain directions -Examined - Withdrawn the punishment of imposition of two (2) annual grade increments with cumulative effect besides recovery of loss of Rs.1,41,614 - Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.16 **Dated.08.01.2025.**

Read the following:-

1) G.O.Rt.No.1454 to 1465 MA&UD (L1) Dept., Dt.07.12.2002.
2) G.O.Rt.No.660 to 670, MA&UD (L1) Department, dated.17.11.2009.
3) Orders of A.P.A.T. in O.A.No. 2991 /2010 5108/2010, 3197/2010, 3198/2010,3199/2010, 3202/2010 and 2435/2010 10322 of 2011, dated.31.08.2012. filed by G.Bheemchander Rao, the then sanitary Inspector, and 6 others Samalkot Municipality.
4) Govt.Memo.No.9086/Vig.I/2010, dated.23.11.2012 and further reminders.
5) From the C&DMA., A.P., Vaddeswaram, Letter Roc.No.4390/2000/C2, dated.01.07.2022.
6) Govt.Memo.No.9086/Vig.I/2010, dated.25.08.2022.
7) From the RDMA, Lr.Roc.No.1399/2022/A3, comprehensive report Dt.06.10.2022 received through the CDMA, RoC.No. 4390/2000/C1/C2, Dt.28.10.2022.
8) From the RDMA, Lr.Roc.No.1399/2022/A3, subsequent reports Dt.14.12.2022 & Dt.29.03.2023 received through the CDMA, Roc.No.4390/ 2000/C1/C2, dated 25/04/2023.
9) G.O.Rt.No.621-627, MA&UD(Vig.I) Dept., Dt.25.08.2022.
10) G.O.Rt.Nos.392-398, MA&UD(Vig.I) Dept., Dt.15.06.2023 .
11) Sri GVR Sekhar, the then Record Assistant, Samalkot Municipality, Rep.Dt.nil.
12) Orders of A.P.A.T. in O.A.No. 10322 of 2011 dt:26.02.2013.
13) Govt. Memo.No.9086/Vig.I/2010, dated.07.02.2024.
14) From the CDMA, A.P., Vaddeswaram, Letter Roc.No.16021/38/2019/C2, dated.12.06.2024.

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ORDER:

In the reference 1st read above, disciplinary proceedings were initiated by issuing articles of charges against Sri GVR Sekhar, the then Record Assistant, and 10 others of Samalkot Municipality on certain irregularities noticed in execution of ILCS Scheme (Stage–IIA) in Samalkot Municipality during 1998-99. After following due procedure, Government issued orders in the reference 2nd read above, imposing a punishment of stoppage of two (2) Annual Grade Increments with cumulative effect, besides recovery of loss against Sri GVR Sekhar, the then Record Assistant, and (10 others) of Samalkot Municipality.

(P.T.O)

2. Aggrieved by the said punishment orders issued by the Government, the seven charged officers filed O.A.No.2991/2010, 5108/2010, 3197/2010, 3198/2010, 3199/2010, 3202/2010 and 2435/2010. In the reference 3rd read above, the Hon'ble APAT, Hyderabad in its Orders, dated.31.08.2012.. in above O.A. Nos held that:

> *"The O.A., is allowed by setting aside the G.O.Ms.No.661 to 668, MA&UD (L1) Department, dated.17.11.2009 and directed the respondents to proceed with the enquiry, as per Rule-20 of APCS (CC&A) Rules, 1991. The respondents are also directed to take note of Circular dated.28.04.1999, issued by the MA Dept., and pass appropriate orders according to the Rules".*

3. Government examined the matter duly taking into consideration of advice of advisory departments, decided to consider to file W.P. in A.P. High Court on the above orders of APAT, since the delinquency is decade old, and it may not be Practicable to conduct the regular enquiry against the individual as directed by the Hon'ble APAT vide reference 4th read above. Due to various reasons, the Writ Petition has not been filed, in this regard.

4. Government have examined the entire matter in detail keeping in view of the above Orders of APAT dated.31.08.2012 and opinion of Advisory department, and G.P., APHC, and after obtaining comprehensive report from the RDMA, Rajahmundry,vide reference 7th and 8th read above, the Government issued orders in the reference 9th & 10th read above, withdrawing the punishments against sri. G.Bheemchander Rao, the then sanitary Inspector, and 6 others of Samalkot Municipality.

5. In the reference 11th cited, GVR Sekhar, the then Record Assistant, Samalkot Municipality in his representation among others has stated that, the other employees involved in the same case were given relief by the Government by withdrawing the punishments as per the Hon'ble APAT orders, unfortunately, he has unable to apply his representation to Government along with others in the matter at that time and accordingly he could not get relief orders from the Government in the matter along with others. He has finally requested the Govt., withdraw the punishment issued against him, as per the Hon'ble APAT orders, dated 26.02.2013 in O.A.No.10322/2011, on par with others involved in this case.The Hon'ble APAT in its orders dated: 26.02.2013 held that

> *"The O.A., is allowed by setting aside the G.O.Ms.No.666 MA & UD (L1) Dept., dated 17.11.2009 and directed the respondents to proceed with the enquiry, as per Rule 20 of APCS (CC&A) Rules, 1991. The respondents are also directed to take note of Circular dated 28.04.1999, issued by the MA Dept., and pass appropriate orders according to the Rules".*

6. In the reference 13th read above, while enclosing a copy of the representation together with its enclosures ofSri GVR, Sekhar, the then Record Asst., Samalkot, the CDMA, A.P., and the RDMA, Rajahmundry, were requested to examine the matter in the light of earlier remarks furnished in respect of others in this regard and submit the report to Govt., immediately, for taking further necessary action, in the matter.

7. In the reference 14th read above, the RDMA, Rajamahendravaram, among others, stated/clarified that the Inquiry Authority has not gone through the

procedure prescribed and submitted report in vague without verifying the units on Ground and without taking into consideration of the Presenting Officer's report and written arguments of C.O and he simply said at glance that the loss occurred. The RDMA has also confirmed that the payments were made by the Municipality to the beneficiary directly in the presence of the hair person, Municipal Council, and obtained completion certificate from the NHCs and as per the Circular Dt.28.04.1999, the action of the C.O., was tenable. However, it may not be possible to arriving loss to the Municipality after a long lapse of (20) years, as the incident occurred in the year 2002. The CDMA, A.P. Guntur, while sending the said detailed report of RDMA, Rajamahendravaram, has requested to issue necessary orders in the matter.

8. After detailed examination of the entire matter; keeping in view the comprehensive report submitted by the RDMA, Rajamahendravaram received through the CDMA, A.P. Guntur, Government have decided to withdraw the punishment of imposition of two (2) annual grade increments with cumulative effect against Sri G.V.R.Sekhar, the then Record Assistant, Samalkot Municipality, besides recovery of loss of Rs.1,41,614, issued in G.O.Rt.No.666, MA&UD (L1) Department, dated.17.11.2009. Accordingly, the Government hereby withdrawn the punishment of imposition of two (2) annual grade increments with cumulative effect against Sri G.V.R.Sekhar, the then Record Assistant, Samalkot Municipality, besides recovery of loss of Rs.1,41,614, issued in G.O.Rt.No.666, MA&UD (L1) Department, dated.17.11.2009.

9. The Director of Municipal Administration, A.P., Vaddeswaram, Guntur shall take further necessary action in the matter.

10. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K KANNA BABU
SECRETARY TO GOVERNMENT (FAC)

To
The Director of Municipal Administration, A.P., Vaddeswaram, Guntur.
Sri G.V.R.Sekhar, the then Record Assistant, Samalkot Municipality
– **through** the DMA., A.P., Guntur.

Copy to:
The Engineer-In-Chief (PH), A.P., Tadepalli, Guntur.
The Municipal Commissioner, Samalkot Municipality.
The Principal Accountant General (A&E), A.P., Vijayawada.
SF / SC.(E.No.909471).

// FORWARDED BY ORDER //

SECTION OFFICER.